

Table of Declarations and Exhibits

DPA v. Melvin, No. 1:14-CV-00225-AKH

1. Declaration of Dana E. Lossia, dated May 25, 2018, with Exhibits A – Q:

- Exhibit A. Defendant's First Requests for the Production of Documents, dated December 22, 2017.
- Exhibit B. Plaintiff's Responses and Objections to Defendant's Requests for the Production of Documents, dated January 22, 2017.
- Exhibit C. Relevant pages of documents that appear to have been received by DPA from Squarespace and produced by DPA in discovery. (DPA 91-97, DPA 110-114, DPA 129-130, DPA 134-139, DPA 142-148).
- Exhibit D. Publicly-available internet records concerning the registration of www.deltapilot.org. (Def. 00060-00063, Def. 00097-00099)
- Exhibit E. Publicly-available property information for Matthew Hobbs of Eagan, MN. (Def. 00057)
- Exhibit F. Publicly-available "Whois" page that shows Matthew Hobbs of Eagan, MN using the email address hobbsmsb@aol.com. (Def. 00058-59)
- Exhibit G. Screenshot of Tweets from DPA's Twitter account, @deltapilots, on November 9 and November 10, 2013. (Def. 00055)
- Exhibit H. Pages showing the text of several DPA member e-newsletters. (Def. 00003-00013, Def. 00015-00054)
- Exhibit I. Relevant pages received by DPA from GoDaddy and produced by DPA in discovery. (DPA 411-412)
- Exhibit J. Pages from a response to DPA's third-party discovery concerning the registration and ownership of www.deltapilot.org. (DPA 265-268)
- Exhibit K. Plaintiff's Supplemental Attachment B to the Civil Case management Plan and Rule 26(a)(1)(A)(iii) Disclosure
- Exhibit L. IRS Form 990 filed by DPA for 2013, 2014 and 2015
- Exhibit M. Financial ledgers for 2012 and 2013 produced by DPA in discovery. (DPA 486-531)

- Exhibit N. Chart of donations to DPA by week in 2012 and 2013, based on Defendant's data analysis of DPA's 2012 and 2013 financial ledgers.
- Exhibit O. DPA counsel's records of attorneys' fees and costs for the period from December 23, 2013 through May 11, 2018. (DPA 532-594)
- Exhibit P. Listing of expenses billed by "Expert Witness" Carney Forensics to DPA's counsel from May 2014 through October 2014. (DPA 485)
- Exhibit Q. Screenshot of www.deltapilotsassociation.org that was produced by DPA in discovery. (DPA 272)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DELTA PILOTS ASSOCIATION,

Plaintiff,

-against-

RUSSELL C. MELVIN,

Defendant.
-----X

**DECLARATION OF
DANA E. LOSSIA
IN SUPPORT OF
DEFENDANT'S MOTION
FOR SUMMARY JUDGMENT**

Case No. 1:14-cv-00225-AKH

I, DANA LOSSIA, declare pursuant to 29 USC § 1746 that the following is true and correct:

1. I am a partner in the firm of Levy Ratner, P.C. and am lead counsel of record for Defendant Russell C. Melvin in the above captioned-matter. I am fully familiar with the facts and circumstances of this litigation, and I make this declaration in support of Defendant's Motion for Summary Judgment, Pursuant to Rule 56 of the Federal Rules of Civil Procedure.

2. Attached as "**Exhibit A**" is a true and correct copy of Defendant's First Requests for the Production of Documents, dated December 22, 2017.

3. Attached as "**Exhibit B**" is a true and correct copy of Plaintiff's Responses and Objections to Defendant's Requests for the Production of Documents, dated January 22, 2017.

4. Attached as "**Exhibit C**" are true and correct copies of documents that appear to have been received by DPA from Squarespace and produced by DPA in discovery. (DPA 91-97, DPA 110-114, DPA 129-130, DPA 134-139, DPA 142-148).

5. Attached as "**Exhibit D**" are true and correct copies of publicly-available internet records concerning the registration of www.deltapilot.org. (Def. 00060-00063, Def. 00097-00099)

6. Attached as **“Exhibit E”** is a true and correct copy of publicly-available property information for Matthew Hobbs of Eagan, MN. (Def. 00057)

7. Attached as **“Exhibit F”** is a true and correct copy of a publicly-available “Whois” record that shows Matthew Hobbs of Eagan, MN using the email address hobbsmsb@aol.com. (Def. 00058-59)

8. Attached as **“Exhibit G”** is a true and correct copy of a screenshot of Tweets from DPA’s Twitter account, @deltapilots, on November 9 and November 10, 2013. (Def. 00055)

9. Attached as **“Exhibit H”** are true and correct copies of Pages showing the text of several DPA member e-newsletters. (Def. 00003-00013, Def. 00015-00054)

10. Attached as **“Exhibit I”** are true and correct copies of pages received by DPA from GoDaddy and produced by DPA in discovery. (DPA 411-412)

11. Attached as **“Exhibit J”** are true and correct copies of pages from a response to DPA’s third-party discovery concerning the registration and ownership of www.deltapilot.org. (DPA 265-268)

12. Attached as **“Exhibit K”** is a true and correct copy of Plaintiff’s Supplemental Attachment B to the Civil Case management Plan and Rule 26(a)(1)(A)(iii) Disclosure.

13. Attached as **“Exhibit L”** are true and correct copies of the IRS Form 990 filed by DPA for 2013, 2014 and 2015.

14. Attached as **“Exhibit M”** is a true and correct copy of financial ledgers for 2012 and 2013 produced by DPA in discovery. (DPA 486-531)

15. Attached as **“Exhibit N”** is a true and correct copy of a chart of donations made to DPA by week in 2012 and 2013, based on my firm’s entry of DPA’s 2012 and 2013 financial ledgers into an excel spreadsheet.

16. Attached as **“Exhibit O”** is a true and correct copy of DPA counsel’s records of attorneys’ fees and costs for the period from December 23, 2013 through May 11, 2018. (DPA 532-594)

17. Attached as **“Exhibit P”** is a true and correct copy of a listing of expenses billed by “Expert Witness” Carney Forensics to DPA’s counsel from May 2014 through October 2014, which was produced by DPA in discovery. (DPA 485)

18. Attached as **“Exhibit Q”** is a true and correct copy of a screenshot of www.deltapilotsassociation.org that was produced by DPA in discovery. (DPA 272)

Dated: May 25, 2018
New York, New York



DANA E. LOSSIA